

# Secure Felony Placement Fund

L-2010-11 Biennium

Effective date 09/01/2009

Latest Revision 09/01/2009

## I. GRANT DESCRIPTION.

- A. The Secure Felony Placement Fund is designed to provide post-adjudication secure correctional placement resources to local juvenile probation departments for the placement of serious and chronic felony offenders.

## II. GRANT SPECIFIC DEFINITIONS.

- A. **Aftercare.** Control, supervision, and care exercised over juveniles released from facilities through an individualized aftercare plan.
- B. **Aftercare Plan.** A plan designed by the juvenile probation department and/or the placement facility to identify the juvenile's needs and the interventions planned to address those needs during the aftercare period.
- C. **Eligible Placement Day.** A placement day that is eligible for payment under the Secure Felony Placement Fund grant is defined as:
1. The day that a juvenile is admitted into a post-adjudication secure correctional facility regardless of the time of day;
  2. Each day or partial day a juvenile is present in the post-adjudication secure correctional facility at least during all or part of the non-program hours (i.e., sleeping hours); and
  3. The day a juvenile is discharged as long as the juvenile is discharged from the post-adjudication secure correctional facility after 12:00 p.m. and was present during all or part of the non-program hours (i.e., sleeping hours).
- D. **Placement Application.** The uniform assessment form and application for the placement of juveniles in residential facilities that is used by all Texas state agencies.
- E. **Post-Adjudication Secure Correctional Facility.** A secure facility administered by a juvenile board or a privately operated facility certified by the juvenile board that includes construction and fixtures designed to physically restrict the movements and activities of the residents, and is intended for the treatment and rehabilitation of juveniles who have been adjudicated.
- F. **Post-Adjudication Secure Level of Care Rates.** The maximum allowable rate for which the Commission reimburses for eligible placement days in a post-adjudication secure correctional facility.
- G. **Reimbursement Rates.** The rate at which the Commission reimburses eligible placement days under this grant.

## III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of the Secure Felony Placement Fund is to reduce delinquency, increase offender accountability and rehabilitate juvenile offenders through a comprehensive, coordinated community-based juvenile probation system.
- B. **Program Objective.** The objective of the Secure Felony Placement Fund is to increase the resources available for juvenile probation departments to place juveniles into post-adjudication secure correctional facilities as a diversion from commitments to the Texas Youth Commission (TYC).
- C. **Program Performance.** Grantee performance under this grant shall be determined using the following measures:
1. Total number of placements made utilizing funds from this grant.

## Summary of Grant Requirements

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## IV. PROGRAMMATIC COMPONENTS.

- A. **Eligibility/Target Population.** The Grantee shall be eligible for Secure Felony Placement Funds for a juvenile who is on current felony probation and who has been court-ordered into a post-adjudication secure correctional facility.
- B. **Length of Placement.** The Grantee shall be eligible to receive reimbursement for a placement for a period not to exceed 180 calendar days unless this timeframe is extended by prior written approval by the Commission based upon the special and reasonable circumstances of the case.
- C. **Aftercare.** The Grantee shall provide aftercare to the juvenile according to the individualized aftercare plan until the period of probation ends or for a minimum of 90 calendar days after the juvenile exits the facility.
- D. **Reimbursement.** The Commission shall reimburse actual costs as submitted on the invoice from the Grantee in an amount not to exceed \$95 per day. An eligible placement day may be reimbursed at a higher rate if the facility has been pre-approved according to the *Post-Adjudication Secure Correctional Facility Levels of Care Rates* [TJPC-FIS-01-10] and the juvenile is eligible for the higher level of service.

## V. PROGRAMMATIC REPORTING.

- A. **Annual Reports.** See General Grant Requirements.
- B. **Quarterly Reports.** None.
- C. **Monthly Reports.** None.
- D. **Other Periodic Reports.** See General Grant Requirements.

## VI. PROGRAMMATIC MONITORING.

- A. **On-Site Monitoring Visits.** See General Grant Requirements.
- B. **Unannounced On-Site Monitoring Visits.** See General Grant Requirements.
- C. **Desk Audits.** See General Grant Requirements.
- D. **Other.** None.

## VII. APPLICABLE LAW, POLICY AND PROCEDURE.

The Grantee shall comply with the following applicable state laws, federal laws, standards, policies and procedures as they currently exist or as amended or renumbered and enacted and effective during the term of this Contract:

- A. **Applicable Standards.**
  - 1. **Texas Administrative Code (TAC) Title 37 Public Safety and Corrections, Chapters 341 – 358.**
- B. **General Statutes.**
  - 1. **Federal Law.** See General Grant Requirements.
  - 2. **State Law.** See Also General Grant Requirements.
    - a. **Code of Criminal Procedure.**
      - i. Chapter 62 – Sex Offender Registration Program.
    - b. **Texas Family Code, Title III, Juvenile Justice Code.**
    - c. **Texas General Appropriations Act.**

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d. **Texas Government Code, Title 7, Uniform Grant and Contract Management.**

i. Chapter 783 - Uniform Grant and Contract Management Act.

C. **Policy and Procedure.**

1. **Texas Juvenile Probation Compliance Resource Manual, Volumes 1 – 2.**

# **VIII. FINANCIAL COMPONENTS.**

A. **Allowable Expenditure of Funds.**

1. Eligible placement days shall be reimbursed at a rate not to exceed \$95 per day. An eligible placement day may be reimbursed at a higher rate if the facility has been pre-approved according to the *Post-Adjudication Secure Correctional Facility Levels of Care Rates* [TJPC-FIS-01-10] and the juvenile is eligible for the higher level of service.
2. Grant funds will be reimbursed on a first-come, first-served basis and the Commission makes no guarantee as to the availability of funds. The Grantee is subject to a maximum allowable reimbursement amount as documented in the *Secure Felony Reimbursement Categories List* [TJPC-FIS-06-10].

B. **Unallowable Expenditure of Funds.** All expenditures other than those listed in Section VIII (A) are unallowable.

C. **Financial Match Requirements.** None.

D. **Funding Adjustments.**

1. **Reduction of Grant Payments.** None.
2. **Unexpended Balances.** None.
3. **Overpayments.** See General Grant Requirements.
4. **Refunds Due.** See General Grant Requirements.

E. **Timely Expenditure of Grant Funds.** None.

F. **Audits.** None.

G. **Financial Assurances.** See General Grant Requirements.

H. **Service Providers.** See General Grant Requirements.

# **IX. FINANCIAL REPORTING.**

A. **Annual Reports.** None.

B. **Quarterly Reports.** Grantee shall report the expenditure of all funds received through this grant on the *Quarterly ISP and Residential Cost Report* [TJPC-FIS-49-04]. Reports shall be received by the Commission no later than January 1, April 1, July 1 and October 1 of the current fiscal year of the biennium, respectively. Funds may be temporarily suspended if a *Quarterly ISP and Residential Cost Report* is not received by the due date.

C. **Monthly Reports.**

1. **Request for Payment Form.** The *Request for Payment Form* is generated by the Commission once the application has been approved and the funds have been encumbered for the Grantee.

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a. **Final Claims.** All final claims for a fiscal year shall be submitted no later than October 1 after the end of each fiscal year in the grant period.

2. **Submission of Invoices.** The Grantee shall submit to the Commission the monthly billing document or invoice from the facility concurrently with the *Request for Payment Form*.

## D. Other Periodic Reports.

1. **Initial Application.** Prior to a placement, the Grantee shall submit the *Secure Felony Placement Fund Application* [TJPC-FIS-09-10]. The Grantee shall also provide a juvenile court order evidencing a current felony probation and requiring placement. If requesting a higher rate, the Grantee shall also submit pages 1-5 of the juvenile's Placement Application.

a. **Application Approval.** Upon approval of the Grantee's application for payment funding under this grant, the Commission will mail to the Grantee the *Application Approval/Adjustment/Final Report Form*. This document shall serve as the approval for the placement payment.

b. **Adjustment Form.** If a change or adjustment is required (e.g., rate change), the Grantee shall submit the *Application Approval/Adjustment/Final Report Form* detailing any necessary adjustments and the form shall be signed by the chief juvenile probation officer.

2. **Aftercare Plan.** No later than 15 calendar days after the date the juvenile exits placement, the Grantee shall submit to the Commission the *Aftercare Plan* [TJPC-FIS-14-04] or a substantial equivalent form detailing the aftercare services to be provided for the juvenile and the juvenile's family.

3. **Final Report Form.** The *Application Approval/Adjustment/Final Report Form* shall be submitted to the Commission upon release from placement.

## X. FINANCIAL MONITORING.

A. **Annual Monitoring.** See General Grant Requirements.

B. **Periodic Monitoring.** See General Grant Requirements.